

**IN THE U.S. DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

*Plaintiff,*

v.

MASIMO CORPORATION and  
SOUND UNITED, LLC,

*Defendants.*

C.A. No. 1:22-cv-01378-MN-JLH

**DECLARATION OF BRIAN HORNE IN SUPPORT OF DEFENDANTS' OPPOSITION  
TO PLAINTIFF'S MOTION TO STAY DISCOVERY PENDING RESOLUTION OF  
MOTION TO DISMISS**

I, Brian Horne, declare as follows:

1. I am a partner with the law firm of Knobbe, Martens, Olson & Bear, LLP, counsel of record for Defendants Masimo Corporation and Sound United, LLC in the above-captioned matter. I have personal knowledge of the matters set forth herein and if I am called upon to testify, I could and would testify competently thereto.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Defendants Masimo Corporation and Sound United, LLC's First Set of Requests for Production to Apple Inc. (1-48), served on March 16, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2023 in Los Angeles, California.

/s/ Brian C. Horne

Brian C. Horne